

Message Text

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PAGE 01 VALLET 00128 220945Z

44

ACTION EUR-25

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 NEA-11 TRSE-00 SAJ-01 EB-11 AID-20 OMB-01

ACDA-19 IO-14 DRC-01 /181 W

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R 211545Z JAN 74

FM AMEMBASSY VALLETTA

TO SECSTATE WASHDC 5162

INFO AMEMBASSY LONDON

AMEMBASSY ROME

AMEMBASSY BONN

USMISSION NATO

AMEMCONSUL STRASBOURG

AMEMBASSY OSLO

AMEMBASSY VIENNA

AMEMBASSY REYKJAVIK

AMEMBASSY PARIS

AMEMBASSY LUXEMBOURG

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E.O. 11652: N/A

TAGS/ PINT, MT

SUBJ: CONSTITUTIONAL ISSUES

REF: VALLETTA 0116 (NOTAL)

1. ON OCCASION JAN 20 DEPARTURE FOR STRASBOURG OF NATIONALIST PARTY SECGEN DUIDO DEMARCO TO ATTEND MEETINGS OF COUNCIL OF EUROPE CONSULTATIVE ASSEMBLY AND LEGAL AFFAIRS COMMITTEE, LOCAL PRESS PRINTED A MOTION ON SUBJECT WHICH REPORTEDLY WILL BE DISCUSSED IN LATTER COMMITTEE.

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PAGE 02 VALLET 00128 220945Z

2. ACCORDING THESE REPORTS MOTION RECALLS AFFIRMA-

TION OF IMPORTANCE CONVENTION FOR PROTECTION OF HUMAN
RIGHTS AND DESIRABILITY OF RECOGNITION OF INDIVIDUAL
PETITION AND OF COMPULSORY JURISDICTION OF EUROPEAN
COURT OF HUMAN RIGHTS; STATES AWARENESS THAT MALTA
NOT ONLY HAS NOT RECOGNIZED EITHER, BUT HAS FAILED
TO CONSTITUTE THE CONSTITUTIONAL COURT AND THIS
STATE OF AFFAIRS HAS BEEN SO FOR THESE LAST TWELVE
MONTHS; STATES THAT NON-CONSTITUTION OF COURT MAY
AMOUNT TO DENIAL OF JUSTICE AND VIOLATION OF RULE OF LAW;
AND CALLS UPON MALTA TO ENSURE THAT ARTICLE 3 OF
STATUTES BE OBSERVED BY HAVING CONSTITUTIONAL COURT
CONSTITUTED.

3. ACCORDING THESE REPORTS, M.P.'S FROM NORWAY,
ITALY, GERMANY, AUSTRIA, ICELAND, FRANCE,
AND LUXEMBOURG ARE SUPPORTING THE MOTION.

4. PRESS ALSO REPORTS BRIEF WEEKEND VISIT OF
NATIONALIST DEPUTY LEADER TABONE, AND ASST. SEC GEN
FENECH ADAMI TO LUXEMBOURG TO ATTEND MEETING OF
EUROPEAN CHRISTIAN DEMOCRATIC PARTIES.

5. COMMENT: LATTER VISIT PRESUMABLY ALSO FOR
PURPOSE OF DRUMMING UP MORE SUPPORT FOR THE MOTION,
WHICH, IF APPROVED, WOULD BE IMPORTANT
PLUS FOR NATIONALIST. ALTHOUGH MINTOFF MIGHT
IGNORE SUCH AN EVENT, A NUMBER OF LABOR M.P.S
VALUE MALTA'S PARTICIPATION AND REPUTATION IN
COUNCIL OF EUROPE.GETZ

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Message Attributes

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To: STATE
Type: TE
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